

August 15, 2006 CPC



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0317
(AMENDED)

Charles and Robin Primm

Clover Hill Magisterial District
Providence Elementary, Bailey Bridge Middle and Clover Hill High Schools Attendance Zones
North line of Hull Street Road

REQUESTS: I. (AMENDED) Rezoning from Agricultural (A) and Light Industrial (I-1) to Community Business (C-3) of 3.1 acres and Residential Townhouse (R-TH) of 109 acres plus Conditional Use Planned Development to permit exceptions to Ordinance requirements.

(Note: The application has been amended to withdraw the request for a Conditional Use Planned Development. The Commission should acknowledge this withdrawal.)

II. Waiver to street connectivity requirements to Gregwood Road.

PROPOSED LAND USE:

Commercial and residential uses are proposed. A maximum density of four (4) dwelling units per acre is proposed for the townhouse portion of the development, yielding a maximum of 436 dwelling units. (Proffered Condition 8)

RECOMMENDATION

Request I: Recommend approval of the rezoning for the following reasons:

- A. The Powhite/Route 288 Development Plan suggests the property is appropriate for open space, light industrial, light commercial, medium density residential use of 1.51 to 4.0 units per acre and medium/high density residential use of 4.01 to 7.0 units per acre. The proposed zoning and land uses would provide an

appropriate transition between the existing commercial uses along Route 360 and the existing residential developments located to the north and west.

- B. The proposed residential townhouse uses are designed to provide maximum compatibility with, and minimal impact upon, the surrounding residential development. Proffered conditions address architectural treatment, density and buffers within open spaces that further ensure land use compatibility and transition.
- C. The proffered conditions adequately address the impacts of the residential portion of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

Request II: Recommend denial of the waiver to street connectivity requirement to Gregwood Road for the following reason:

The evaluation of the Policy criteria for granting such relief necessitates design details that can best be provided through the subdivision review process.

- (NOTES:
- A. CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS.
 - B. IT SHOULD BE NOTED THAT AMENDMENTS TO THE PROFFERED CONDITIONS WERE NOT RECEIVED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICES AND PROCEDURES". THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES FROM THE AFFECTED NEIGHBORHOODS(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THESE AMENDED PROFFERS.)

PROFFERED CONDITIONS

The property owners and applicant in this rezoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the property under consideration will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the owners and applicant. In the

event this request is denied or approved with conditions not agreed to by the owners and applicant, the proffers shall immediately be null and void and of no further force or effect.

APPLICABLE TO RTH PARCELS

1. Cash Proffers. The applicant, subdivider, or assignee(s) shall pay the following to the County of Chesterfield, prior to the issuance of a building permit, for infrastructure improvements within the service district for the Property:
 - a. \$15,600.00 per dwelling unit if paid prior to July 1, 2006. At the time of payment, the \$15,600 will be allocated pro-rata among the facility costs as follows: \$5,331 for schools, \$602 for parks and recreation, \$348 for library facilities, \$8,915 for roads, and \$404 for fire stations. Thereafter, such payment shall be the amount approved by the Board of Supervisors not to exceed \$15,600.00 per unit as adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2005 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2006.
 - b. If, upon the mutual agreement of the Transportation Department and the applicant, the applicant provides road improvements (the "Improvements"), other than those identified in Proffered Condition 12, then the transportation component in this Proffered Condition shall be reduced by an amount not to exceed the cost to construct the Improvements so long as the cost is of equal or greater value than that which would have been collected through the payment(s) of the road component of the cash proffer as determined by the Transportation Department. Once the sum total amount of the cash proffer credit exceeds the cost of the Improvements, as determined by the Transportation Department, thereafter the applicant shall commence paying the cash proffer as set forth in this Proffered Condition as adjusted for the credit. For the purposes of this proffer, the costs, as approved by the Transportation Department, shall include, but not be limited to, the cost of right-of-way acquisition, engineering costs, costs of relocating utilities and actual costs of construction (including labor, materials, and overhead) ("Work"). Before any Work is performed, the applicant shall receive prior written approval by the Transportation Department for the Improvements and any credit amount.
 - c. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law.
 - d. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the property, the amount paid in cash proffers shall be in lieu of or credited toward, but not in addition to, any impact fees, in a manner as determined by the county. (B&M)

2. Buffers. All required buffers adjacent to residentially-zoned property shall be recorded in open space. (P)
3. Utilities. The public water and wastewater systems shall be utilized. (U)
4. Timbering. Except for the timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)
5. Access. No residential units shall have sole access to the Property via Gregwood Road. (P)
6. Materials. The exterior facades of all homes shall be of brick, stone or vinyl siding having a minimum thickness of 0.042 mils, or a combination of the foregoing. Masonite siding shall not be utilized. (P & BI)
7. Restrictive Covenant. The following restrictive covenant shall be recorded prior to, or in conjunction with, the recordation of any subdivision plat: The required homeowners' association for the townhome development shall be responsible for the maintenance of the exteriors of homes as follows: (a) painting, repair, maintenance and replacement of gutters and downspouts; (b) maintenance of roofs, shingles, sheathing and felt; and (c) exterior building wall surfaces (exclusive of doors and windows). (P)
8. Overall Density. The aggregate density on the Property shall not exceed than four (4) units per acre.
9. Right of Way Dedication. In conjunction with recordation of the initial subdivision plat or prior to any site plan approval, a seventy (70) foot wide right-of-way for a north/south collector ("Suncrest Drive Extended") from the southern property line to the eastern property line at the adjacent parcel to the east identified as Tax ID 7476895339, and a seventy (70) foot wide right-of-way for a east/west collector ("Paulbrook Drive Extended") from Terrybluff Drive to Suncrest Drive Extended shall be dedicated, free and unrestricted, to and for the benefit Chesterfield County. The exact location of these rights-of-way shall be approved by the Transportation Department. (T)
10. Access Plan. Prior to any tentative subdivision plat approval or any site plan approval, whichever occurs first, an access plan for Suncrest Drive Extended and Paulbrook Drive Extended shall be submitted to and approved by the Transportation Department. Vehicular access from the property to these roads shall conform to the approved access plan. (T)
11. Public Roads. All roads that accommodate general traffic circulation through the residential development, as determined by the Transportation Department, shall

be designed and constructed to VDOT standards and taken into the State System.
(T)

12. Transportation Improvements. To provide an adequate roadway system, the developer shall be responsible for the following. The exact design and length of these improvements shall be approved by the Transportation Department:
- a. Construction/Reconstruction of a two-lane road for Suncrest Drive Extended, to VDOT Urban Collector (40 MPH) standards with modifications approved by the Transportation Department, from approximately 300 feet north of Route 360, north through the property to the eastern property line at the adjacent parcel identified as Tax ID 7476895339.
 - b. Construction of a two-lane road for Paulbrook Drive Extended, to VDOT Urban Collector (40 MPH) standards with modification approved by the Transportation, from Terrybluff Drive to Suncrest Drive Extended.
 - c. Construction of additional pavement along Hull Street Road (Route 360) at the Suncrest Drive intersection to provide a right turn lane.
 - d. Construction of a raised median with a three (3) lane typical section (i.e., one (1) northbound lane and two (2) southbound lanes) for Suncrest Drive from Route 360 north for a distance of approximately 300 feet.
 - e. Full cost of traffic signal modification at the Suncrest Drive/Route 360 intersection, if necessary, as determined by the Transportation Department.
 - f. Construction of left and right turn lanes along Suncrest Drive Extended and along Paulbrook Drive Extended at each approved access, including at the Suncrest Drive Extended/Paulbrook Drive Extended intersection, if warranted based on Transportation Department standards.
 - g. Dedication to the county, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above. In the event the developer is unable to acquire the "off-site" right-of-way that is necessary for the road improvements described in Proffered Conditions 12 a.,d., and e., the developer may request, in writing, that the county acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the developer. In the event the county chooses not to assist the developer in acquisition of the "off-site" right-of-way, the developer shall be relieved of the obligation to acquire the "off-site" right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department. (T)

13. Phasing Plan. Prior to any site plan approval or any construction plan approval, whichever occurs first, a phasing plan for the required road improvements as identified in Proffered Condition 12 shall be submitted to and approved by the Transportation Department. The approved phasing plan shall require, among other things:
- a. that in conjunction with initial development on the property, the road improvements described in Proffered Conditions 12 b., c., d. and e. shall be completed, as determined by the Transportation Department;
 - b. that in conjunction with the initial development on the property, that portion of Suncrest Drive Extended described in Proffered Condition 12. a. shall be completed north of Route 360 through the property to the northwest corner of the property line at the adjacent parcel identified as Tax ID 7476873556, as determined by the Transportation Department; and
 - c. prior recordation of more than one hundred seventy-five (175) lots, the remainder of the Suncrest Drive Extended improvements described in Proffered Condition 12.a. shall be completed, as determined by the Transportation Department. (T)

APPLICABLE TO C-3 PARCEL

14. Utilities. The public water and wastewater systems shall be utilized. (U)

GENERAL INFORMATION

Location:

North line of Hull Street Road west of Suncrest Drive; fronts the westline of Suncrest Drive north of Hull Street Road, the east line of Terrybluff Drive at Paulbrook Drive and lying off the eastern termini of Gregwood Road and Puckett Place. Tax IDs 745-688-5770; 746-685-Part of 4109; 746-687-3681; 746-689-7818; and 747-686-1688.

Existing Zoning:

A and I-1 with Conditional Use Planned Development

Size:

112.1 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - R-9; Single family residential
South - C-3 and C-5; Commercial or vacant
East - A; Single family residential or vacant
West - R-9 and I-1; Single family residential or vacant

UTILITIES

Public Water System:

This site is within the Clover Hill water Pressure Zone. There is an existing twenty-four (24) inch water line extending along the north side of Hull Street Road, adjacent to this site. In addition, an eight (8) inch water line extends along a portion of Suncrest Drive, adjacent to the eastern boundary of this site and an eight (8) inch water line extends along Gregwood Road and terminates adjacent to the western boundary of the request site. The applicant has proffered to use the public water system (Proffered Conditions 3 and 14). Individual pressure regulators may be necessary on service lines serving that portion of the site with an elevation below 224 feet.

Public Wastewater System:

This site is within the Falling Creek Drainage Basin. A forty-eight (48) inch wastewater trunk line extends along Falling Creek adjacent to the northern boundary of this site. In addition, a twelve (12) inch wastewater trunk line extends along the northwestern boundary of this site to serve the Genito Woods development. The applicant has proffered to use the public wastewater system. (Proffered Conditions 3 and 14)

ENVIRONMENTAL

Drainage and Erosion:

The majority of the property drains to the rear adjacent to Falling Creek. Falling Creek is a perennial stream and is subject to a 100 foot conservation area inside of which uses are very limited. Approximately twenty (20) percent of the request properties falls within either the Resource Protection Area (RPA) or the 100 year floodplain.

The remaining portion of the property drains in two (2) other directions with the majority draining to the northeast to Genito Woods and then via tributaries to Falling Creek. A small portion drains to the southeast through existing storm sewers and under Route 360 to Horners Branch and then to Falling Creek. Currently, there are no known on- or off-site drainage or erosion problems and none are anticipated after development.

The property is heavily wooded and, as such, should not be developed without obtaining a land disturbance permit from the Department of Environmental Engineering (Proffered

Condition 4). This will ensure that adequate erosion control measures are in place prior to timbering.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. The residential portion of this development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six (6) new stations, the Plan also recommends the expansion of five (5) existing stations. Based on 436 dwelling units, this request will generate approximately 113 calls for fire and emergency medical service each year. The applicant has addressed the impact on Fire and EMS. (Proffered Condition 1)

Company Number 24 and Manchester Volunteer Rescue Squad provide fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

The applicant has requested not to make a street connection to Gregwood Road. In addition to this connection possibly being required to satisfy ordinance requirements for the number of access points into this proposed development, in an emergency situation, this connection would benefit both the applicant's project and the surrounding developments. The Fire Department continues to support connectivity between subdivisions so that multiple access points are available to assist in an emergency response.

Schools:

Approximately 231 students, (Elementary: 100, Middle: 57, and High: 74), will be generated by this development.

Currently this site lies in the Providence Elementary School attendance zone: capacity - 694, enrollment - 625; Bailey Bridge Middle School zone: capacity - 1,562, enrollment - 1,559; and Clover Hill High School zone: capacity - 1,582, enrollment - 2,080. The enrollment is based on September 30, 2005 and the capacity is as of 2005-2006. This request will have an impact on elementary and secondary schools. There are currently twenty (20) trailers at Clover Hill High.

A new middle school is in the current Capital Improvements Program and is proposed to open in the fall of 2009 that will provide relief for schools in this area of the county. The

new Cosby High School is under construction, and is scheduled to open this fall. This school will provide relief for Clover Hill High and Manchester High Schools.

This case, combined with other tentative residential developments and zoning cases in the zones, would continue to push these schools to capacity. This case could necessitate some form of relief in the future. The applicant has addressed the impact of the development on schools. (Proffered Condition 1)

Libraries:

Consistent with Board of Supervisors policy, the impact of development on library services is assessed countywide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County.

Development of the property noted in this case would most likely impact the existing La Prade Library, the existing Clover Hill Library or a proposed new branch in the Reams-Gordon area. A need for additional library space in this area of the county is identified in the 2004 Public Facilities Plan. The applicant has addressed the impact of the development on libraries. (Proffered Condition 1)

Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

The applicant has offered measures to assist in addressing the impact of this proposed development on these parks and recreational facilities. (Proffered Condition 1)

Transportation:

The property (112.1 acres) is currently zoned Agricultural (A) and Light Industrial (I-1), and the applicant is requesting rezoning to Community Business (C-3) on 3.1 acres and Residential Townhouse (R-TH) on 109 acres. The applicant has proffered a maximum density on the residential development of four (4) units per acres (Proffered Condition 8). Based on townhouse and shopping center trip rates, development could generate approximately 5,300 average daily trips. These vehicles will be initially distributed via Suncrest Drive and via Paulbrook Drive/Speeks Drive to Hull Street Road (Route 360), which had a 2001 traffic count of 51,549 vehicles per day. The capacity of this road is acceptable (Level of Service D) for the volume of traffic it carries.

The Thoroughfare Plan identifies a proposed north/south collector ("Suncrest Drive Extended") with a recommended right of way width of seventy (70) feet, extending from

the current terminus of Suncrest Drive just north of Route 360 through the property to Courthouse Road. The Plan also identifies a proposed east/west collector ("Paulbrook Drive Extended") with a recommended right of way width of seventy (70) feet, extending from the current terminus of Paulbrook Drive at the Terrybluff Drive intersection, through the property to Suncrest Drive Extended. The applicant has proffered to dedicate rights of way and construct two-lane roads for Suncrest Drive Extended and for Paulbrook Drive Extended through the property. (Proffered Conditions 9 and 12)

Access to collectors, such as Suncrest Drive Extended and Paulbrook Drive Extended, should be controlled. The applicant has proffered that an access plan will be submitted, for Transportation Department review and approval, which shows access from the property to Suncrest Drive Extended and to Paulbrook Drive Extended (Proffered Condition 10). Access to these roadways will be based on the approved access plan.

The property also has potential access through an existing stub road right of way in Genito Woods Subdivision; Gregwood Road. Included in the Subdivision Ordinance is the Planning Commission's Stub Road Policy. The Policy suggests that subdivision streets anticipated to carry 1,500 VPD or more should be designed as "no-lot frontage" collector roads. Dependent on the subdivision street layout within this proposed development, if access was provided to Gregwood Road, it may or may not cause traffic on the adjacent subdivision streets to increase beyond the acceptable level established by the Policy. This determination is best made at the time of tentative subdivision plat review, when staff will evaluate the proposed road network and provide specific recommendations per the Stub Road Policy.

As previously stated, most of the property will be developed for residential townhouse use. Staff recommends that all of the main streets in this project that serve residential development be accepted into the State Highway System. Having these streets accepted into the State Highway System will insure their long-term maintenance. The applicant has proffered that all of the streets that will accommodate general traffic circulation will be designed and constructed to State (i.e., the Virginia Department of Transportation) standards and taken into the State System. (Proffered Condition 11)

The traffic impact of this development must be addressed. The applicant has proffered the customary road improvements, such as construction of Suncrest Drive Extended and Paulbrook Drive Extended through the property, improvements to the Suncrest Drive/Route 360 intersection and turn lanes along Suncrest Drive Extended and Paulbrook Drive Extended based on Transportation Department standards (Proffered Condition 12). The applicant has also proffered that a phasing plan for these road improvements will be submitted, at time of tentative subdivision plat or site plan review, for Transportation Department review and approval (Proffered Condition 13). According to Proffered Condition 13, the approved phasing plan will require reconstruction of approximately 2000 feet of Suncrest Drive Extended and construction of Paulbrook Drive Extended through the property, and improvements to the Suncrest Drive/Route 360 intersection to be provided with initial development of the property. Exhibit A shows the general location and proposed phasing of these improvements.

Acquisition of “off-site” right-of-way may be necessary for the proffered road improvements at the Suncrest Drive/Route 360 intersection. According to Proffered Condition 12.g, if the developer needs off-site right-of-way for these road improvements and is unable to acquire it, the developer may request the county to acquire the right-of-way as a public road improvement. All costs associated with the acquisition will be borne by the developer. If the county chooses not to assist with the right-of-way acquisition, the developer will not be obligated to acquire the off-site right-of-way, and will only be obligated to construct road improvements within available right-of-way.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this residential development. The applicant has proffered to contribute cash towards mitigating the traffic impact of the residential development (Proffered Condition 1). The proffer amount is consistent with the Board of Supervisors’ Policy. Proffered Condition 1.b would allow, upon mutual agreement of the Transportation Department and the applicant, the applicant to provide road improvements equal to the cost of such payment(s). This option will be considered at time of tentative subdivision plat review.

As development continues in this part of the county, traffic volumes on area roads will substantially increase. Cash proffers alone will not cover the cost of the improvements needed to accommodate the traffic increases. No public road improvements in this part of the county are currently included in the Six-Year Improvement Plan; except a project to provide an additional southbound right turn lane along Courthouse Road at the Route 360 intersection. This project is being managed by VDOT and is scheduled to be under construction in the summer of 2009.

At time of site plan and/or tentative subdivision plat review, specific recommendations will be provided regarding access, internal street network and phasing of the road improvements.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	436*	1.00
Population Increase	1,185.92	2.72
Number of New Students		
Elementary	101.59	0.23
Middle	56.68	0.13
High	73.68	0.17
TOTAL	231.95	0.53
Net Cost for Schools	2,331,728	5,348
Net Cost for Parks	263,344	604
Net Cost for Libraries	152,164	349
Net Cost for Fire Stations	176,580	405
Average Net Cost for Roads	3,898,712	8,942
TOTAL NET COST	6,822,528	15,648

*Based on a proffered maximum of four (4) dwelling units per acre (Proffered Condition 8). Actual number of dwelling units and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, libraries, and fire station at \$15,648 per unit. The applicant has been advised that a maximum proffer of \$15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. Consistent with the Board of Supervisors' policy, and proffers accepted from other applicant, the applicant has offered cash and road improvements, upon mutual agreement, to assist in defraying the cost of this proposed zoning on such capital facilities. (Proffered Condition 1)

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Powhite Route 288 Development Area Plan which suggests the property is appropriate for open space, light industrial, light commercial, medium density residential use of 1.51 to 4.0 units per acre and medium/high density residential use of 4.01 to 7.0 units per acre.

A portion of this property lies within the boundaries of the draft Northern Courthouse Road Plan Amendment. The draft Plan, as recommended by the Planning Department, suggests a mix of office and residential developments of varying densities for the proposed townhouse portion of the request property.

Area Development Trends:

Area properties to the north and west are developed as part of the Brandon and William Gwyn Estates Subdivisions. Properties to the west are currently zoned Agricultural (A) and are occupied by single family dwellings on acreage parcels. Properties to the south and southwest along Route 360 are zoned for commercial and light industrial uses. It is anticipated that development north of Route 360 and west of Courthouse Road will provide appropriate transitions to neighboring established residential developments.

Zoning History:

On December 30, 1974, the Board of Supervisors approved a rezoning of a 52.8 acre tract from Agricultural (A) to General Business (B-3) and Light Industrial (M-1) with a Conditional Use Planned Development on the north line of Hull Street Road, west of Suncrest Drive (Case 74S054). The I-1 portion of the current request was included in this case.

Site Design: Commercial:

The request property lies with a Post Development Area. Development of the site must conform to the requirements of the Zoning Ordinance for the Post Development District Area. These standards address access, parking, landscaping, architectural treatment, pedestrian access, signs, buffers, utilities and screening of dumpsters, loading areas and setbacks.

Site Design: Residential Townhouse:

Unless specifically addressed by proffered conditions, development must conform to the requirements of the Ordinance for Residential Townhouse (R-TH) Districts.

Density and Architectural Treatment (R-TH):

A maximum of four (4) dwelling units per acre has been proffered, yielding an overall maximum of 436 dwelling units. (Proffered Condition 8)

At the request of area residents, Proffered Condition 6 addresses architectural treatment.

Access to Gregwood Road (R-TH):

Gregwood Road, which serves the William Gwyn Estates Subdivision is recorded to the western limits of the subject property. Should this right of way be extended to provide

sole access to a portion of the proposed development, lot size and density compatibility with lots in these portions of William Gwyn Estates Subdivision would need to be addressed. The applicant has proffered that no lots within the proposed development will have their sole access through this adjacent development thereby eliminating the need to address this compatibility issue. (Proffered Condition 5)

Street Connectivity (R-TH):

An exception to the “Residential Subdivision Connectivity Policy” is requested so as to preclude any road connection to Gregwood Road. In addition to promoting fire and emergency services safety, subdivision road connections provide interconnectivity between developments thereby reducing congestion along collector and arterial roads and providing a convenient and safe access to neighboring properties.

The “Residential Subdivision Connectivity Policy” allows the Board, through the Commission’s recommendation, to waive the requirement for streets in new subdivisions to connect to adjacent public streets that are designed as local streets, residential collectors and thoroughfare streets. Staff must evaluate this waiver based upon three (3) criteria: (1) there must be a sufficient number of other stub streets to adequately disperse traffic and not cause a concentrated use of any one (1) stub street; or (2) the connection to a particular stub will cause concentrated traffic at that location; and (3) the projected traffic volume on any one (1) local street within an existing subdivision exceed 1,500 vehicle trips per day.

Without additional design information relative to road layout, staff cannot determine if the criteria for granting such a waiver can be met. Therefore, it is recommended that consideration of this waiver be evaluated during the plans review process when more detail is available.

Buffers and Screening (R-TH):

The Zoning Ordinance requires buffers along the north and western project boundaries where adjacent to Brandon and William Gwyn Subdivisions. Proffers require that these buffers would be provided in open space. (Proffered Condition 2)

Restrictive Covenants (R-TH):

The applicant has agreed to record restrictive covenants (Proffered Condition 7). It should be noted that the County would not be responsible for enforcing the restrictive covenants, only that they be recorded. Once recorded, the restrictive covenants may be changed.

CONCLUSIONS

The Powhite/Route 288 Development Plan suggests the property is appropriate for open space, light industrial, light commercial, medium density residential use of 1.51 to 4.0 units per acre

and medium/high density residential use of 4.01 to 7.0 units per acre. The proposed zoning and land uses would provide an appropriate transition between the existing commercial uses along Route 360 and the existing residential developments located to the north and west. The proposed residential townhouse uses are designed to provide maximum compatibility with, and minimal impact upon, the surrounding residential development. Proffered conditions address architectural treatment, density and buffers within open spaces that further ensure land use compatibility and transition.

The proffered conditions adequately address the impacts of the residential portion of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

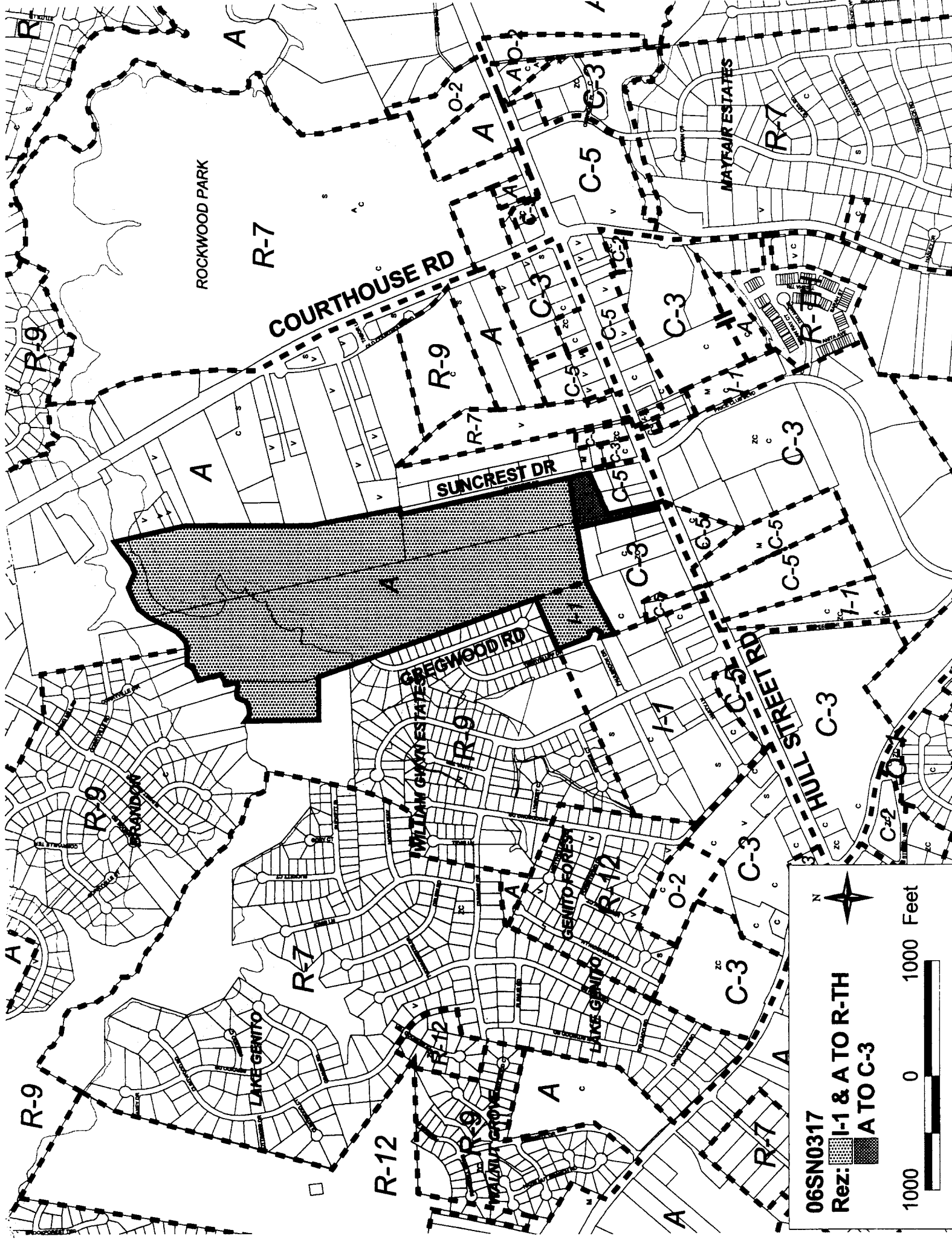
The application fails to address connectivity to Gregwood Road per the Board's adopted "Residential Subdivision Connectivity Policy", as discussed herein. Evaluation of the Policy criteria for granting such relief necessitates design detail that can best be provided through the subdivision review process.

Given these considerations, approval of the rezoning (Request I) and denial of the waiver to street connectivity requirements (Request II) is recommended.

TEXTUAL STATEMENT

May 18, 2006

This is a request to rezone 109 acres of the Property under consideration to RTH with a Conditional Use Planned Development (CUPD) that will permit development of a townhouse community with a minimum of a 1.5 (one and one-half) acre recreation area.



06SN0317

Rez:  I-1 & A TO R-TH
 A TO C-3



